

U. S. PATENT AND TRADEMARK OFFICE
U. S. DEPARTMENT OF COMMERCE

AFFORNEY'S DOCKET NUMBER 11-19 NOV 2005

21241P

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/556230

INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED
PCT/US2004/013874	05 May 2004	09 May 2003

TITLE OF INVENTION

BENZIMIDAZOLES, COMPOSITIONS CONTAINING SUCH COMPOUNDS AND METHODS OF USE

APPLICANT(S) FOR DO/EO/US

Emma R. Parmee, Ronald Kim, Rui Liang, Jiang Chang, Elizabeth Ashley Rouse, Kevin T. Chapman

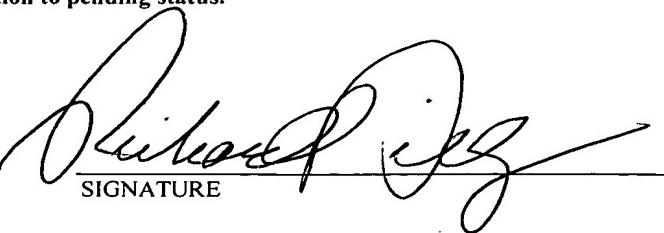
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
 2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
 3. This is an express request to begin national examination procedures [35 U.S.C. 371(f)]. The submission must include items (5), (6), (9) and (21) indicated below.
 4. The US has been elected (PCT Article 31).
 5. A copy of the International Application as filed [35 U.S.C. 371(c)(2)]
 - a. is attached hereto (required only if not communicated by the International Bureau).
 - b. has been communicated by the International Bureau.
 - c. is not required, as the application was filed in the United States Receiving Office (RO/US).
 6. An English language translation of the International Application as filed [35 U.S.C. 371(c)(2)].
 - a. is attached hereto
 - b. has been previously submitted under 35 U.S.C. 154(d)(4).
 7. Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)].
 - a. are attached hereto (required only if not communicated by the International Bureau).
 - b. have been communicated by the International Bureau.
 - c. have not been made; however, the time limit for making such amendments has NOT expired.
 - d. have not been made and will not be made.
 8. An English language translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)].
 9. An oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)].

Items 11 to 20 below concern other document(s) or information included:

11. An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
 12. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
 13. A preliminary amendment.
 14. An Application Data Sheet under 37 CFR 1.76.
 15. A substitute specification.
 16. A power of attorney and/or change of address letter.
 17. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
 18. A second copy of the published International Application under 35 U.S.C.154(d)(4).
 19. A second copy of the English language translation of the international application under 35 U.S.C.154(d)(4).
 20. Other items or information:

1000 Dated 09 NOV 2005

U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/556230	INTERNATIONAL APPLICATION NO. PCT/US2004/013874	ATTORNEY'S DOCKET NUMBER 21241P	
The following fees are submitted:		CALCULATIONS	PTO USE ONLY
21. <input checked="" type="checkbox"/> Basic national fee.....		\$300	\$300.00
22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....\$0 All other situations.....\$200			
23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....\$0 Search fee [37 CFR 1.445(a)(2)] has been paid on the international application to the USPTO as an International Searching Authority.....\$100 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB\$400 All other situations.....\$500			\$0.00
		TOTAL OF 21, 22 and 23=	\$300.00
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.			
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE
127 - 100 =	27 /50	0.54 = 1	X \$250.00
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date [37 CFR 1.492(e)].			
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total Claims	10 - 20 =	0	X \$50.00
Independent Claims	3 - 3 =	0	X \$200.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)		+ \$360.00	
TOTAL OF ABOVE CALCULATIONS (SUBTOTAL)			= \$550.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)].			
TOTAL NATIONAL FEE			= \$550.00
Fee for recording the enclosed assignment [37 CFR 1.21(h)]. The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property.			
TOTAL FEES ENCLOSED			= \$550.00
			Amount to be refunded:
			Amount to be charged:
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.			
b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>13-2755</u> in the amount of <u>\$550.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.			
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to the Deposit Account No. <u>13-2755</u> . A duplicate copy of this sheet is enclosed.			
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive [37 CFR 1.137(a) or (b)] must be filed and granted to restore the International Application to pending status.			
SEND ALL CORRESPONDENCE TO: Customer No. 000210			
MERCK & CO., INC. Patent Department, RY60-30 P.O. Box 2000 126 East Lincoln Avenue Rahway, New Jersey 07065-0970			
 SIGNATURE			
Richard C. Billups NAME <u>31,916</u> REGISTRATION NUMBER			
DATE: <u>11/9/05</u>			
PHONE #: <u>(732) 594-4683</u>			

1994 Dec'd FCT/PTO 09 NOV 2005

**Page 1A of TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING
A FILING UNDER 35 U.S.C. 371**

Serial No. PCT/US2004/013874

Case Docket No.: 21241P

International Filing Date: May 5, 2004

Priority Date: May 9, 2003

Title: BENZIMIDAZOLES, COMPOSITIONS CONTAINING SUCH COMPOUNDS AND METHODS OF

Inventors: Emma R. Parmee, Ronald Kim, Rui Lang, Jiang Chang, Elizabeth Ashley Rouse, Kevin T. Chapman

EXPRESS MAIL CERTIFICATE	
DATE OF DEPOSIT	<u>November 9, 2005</u>
EXPRESS MAIL NO.	<u>EV 660609118 US</u>
<p>I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS EXPRESS MAIL "POST OFFICE TO ADDRESSEE" BEFORE 5 P.M. ON THE ABOVE DATE IN AN ENVELOPE ADDRESSED TO COMMISSIONER OF PATENTS AND TRADEMARKS, BOX PCT, WASHINGTON, D.C. 20231.</p>	
MAILED BY	<u>Kathy Klutowski</u>
	DATE <u>11-9-05</u>